

PTO/BB/21 (02-04)


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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/600,630	RECEIVED CENTRAL FAX CENTER JUN 02 2005
	Filing Date	06/20/2003	
	First Named Inventor	MARK A. CHERRY	
	Art Unit	3747	
	Examiner Name	ALI, HYDER	
Total Number of Pages in This Submission	9	Attorney Docket Number	2676-PAT

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.62 or 1.63	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input checked="" type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Amendment to Add Inventor Names
Remarks Primary Examiner: Tony M. Argenbright		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	DONN K. HARMS
Signature	
Date	June 2, 2005

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.	
Typed or printed name	DONN K. HARMS
Signature	
Date	06/02/2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Practitioner's Docket No. 2616-PAT**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**In re application of: **MARK A. CHERRY**Application No.: **10/600,630** Group No.: **3747**Filed: **06/20/2003**Examiner: **HYDER ALI**For: **Vacuum shutdown system****RECEIVED
CENTRAL FAX CENTER****JUN 02 2005****Commissioner for Patents****P.O. Box 1450****Alexandria, VA 22313-1450****AMENDMENT, REQUEST AND FEE TO DELETE AND/OR
ADD TO ORIGINAL ERRONEOUSLY NAMED OR NOT NAMED
INVENTOR(S) IN—NONPROVISIONAL APPLICATION—DECLARATION
(37 C.F.R. § 1.48(a))**

NOTE: "If the inventive entity is set forth in error in an executed § 1.63 oath or declaration in a nonprovisional application, and such error arose without any deceptive intention of the part of the person named as an inventor in error or on the part of the person who through error was not named as an inventor, the inventorship of the nonprovisional application may be amended to name only the actual inventor or inventors." 37 C.F.R. § 1.48(a)

NOTE: 37 C.F.R. § 1.48(f)(1): "Nonprovisional application-filing executed oath/declaration corrects inventorship. If the correct inventor or inventors are not named on filing a nonprovisional application under § 1.53(b) without an executed oath or declaration under § 1.63 by any of the inventors, the first submission of an executed oath or declaration under § 1.63 by any of the inventors during the pendency of the application will act to correct the earlier identification of inventorship. See §§ 1.41(a)(4) and 1.497(d) for submission of an executed oath or declaration to enter the national stage under 35 U.S.C. 371 and § 1.484 or § 1.495 naming an inventive entity different from the inventive entity set forth in the international stage."

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)

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37 C.F.R. § 1.8(a)**37 C.F.R. § 1.10 ***

☐ with sufficient postage as first class mail.

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☒ facsimile transmitted to the Patent and Trademark Office, (703) 872-9306

Signature

JANE E. GUETZ

(type or print name of person certifying)

Date: 6/2/2005

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

(Amendment, Request and Fee to Delete and/or Add to Original Erroneously Named or Not Named Inventor(s)
in—Nonprovisional Application—Declaration (37 C.F.R. § 1.48(a)) [8-22]—page 1 of 3)

1. This amendment and request is to correct the incorrect original naming of inventor(s) in the declaration under 37 C.F.R. § 1.48(a) as set forth and filed on 6/20/03 (date).
2. Addition and/or Deletion of Inventor(s)

(check and complete all applicable items)

- ☒ Add the following previously unnamed person(s) as inventor(s) of this application:
RICHARD D. COURSE
STEPHEN MICHAEL CHUDYK
- ☐ Delete the following previously incorrectly named inventor(s)

3. Attachments

Attached is

- (a) A statement from: (check items below that apply)
- ☒ each person being added as an inventor that the error in inventorship occurred without deceptive intention on his or her part. 37 C.F.R. § 1.48(a)(1).
- ☐ each person being deleted as an inventor that the error in inventorship occurred without deceptive intention on his or her part. 37 C.F.R. § 1.48(a)(1).
- (b) a declaration by each of the actual inventor(s) as required by 37 C.F.R. § 1.63 (or as permitted by §§ 1.42, 1.43, OR 1.47). 37 C.F.R. § 1.48(a)(2).
- (c) written assent of the assignee (if any of the original inventors executed an assignment) 37 C.F.R. 1.48(a)(4)
- (d) (check the following item, if all the inventor(s) remaining after this petition and amendment is accepted are not the inventor(s) of the subject matter of all the claim(s) now being claimed.)
- ☐ Attached is an explanation of the facts, including the ownership of all the claim(s) being claimed in this application, including the ownership of all the claim(s) at the time the last claimed invention was made (Declaration of Inventorship and Common Ownership of Claims in Application).

4. Fee Payment (37 C.F.R. § 1.17(i)-\$130.00)

The fee required is paid as follows:

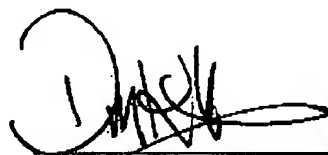
- ☐ Attached is a ☐ check ☐ money order In the amount of \$ _____
- ☒ Authorization is hereby made to charge the amount of \$ 130.00
- ☒ to Deposit Account No. 07-1338
- ☐ to Credit card as shown on the attached credit card information authorization form PTO-2038.

WARNING: Credit card information should not be included on this form as it may become public.

- ☒ Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

A duplicate of this paper is attached.

(Amendment, Request and Fee to Delete and/or Add to Original Erroneously Named or Not Named Inventor(s)
In—Nonprovisional Application—Declaration (37 C.F.R. § 1.48(a)) [9-22]—page 2 of 3)



SIGNATURE OF PRACTITIONER

Reg. No.: 38,911

DONN K. HARMS

(type or print name of practitioner)

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(Amendment, Request and Fee to Delete and/or Add to Original Erroneously Named or Not Named Inventor(s)
in—Nonprovisional Application—Declaration (37 C.F.R. § 1.48(a)) [9-22]—page 3 of 3)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Cherry, Mark A.
Serial Number: 10/600,630
Filed: 06/20/2003

For: VACUUM SHUTDOWN SYSTEM

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

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JUN 02 2005**

**STATEMENT OF ERROR WITHOUT DECEPTIVE INTENT
ON THE PART OF THE INVENTOR(S) OMITTED IN
PATENT APPLICATION
(37 C.F.R § 1.48(a)(1))**

1. Identification of omitted inventor(s) to which this statement is being made:

RICHARD D. COURSE
STEPHEN MICHAEL CHUDYK

2. We, the persons signing below, hereby state that the error in omitting the names of the inventors as set forth in the foregoing petition under C.F.R. §1.48(a) occurred by error, without deceptive intent:

3. Signatures:

☒ All the omitted inventors

Dated:

5/25/05

Dated:

5/26/05


RICHARD D. COURSE


STEPHEN MICHAEL CHUDYK

06/03/2005 SFELEKE1 00000066 071338 10600630

01 FC:1464 130.00 DA

☒ All of the original inventors

I hereby agree to the addition of the above-named inventors.

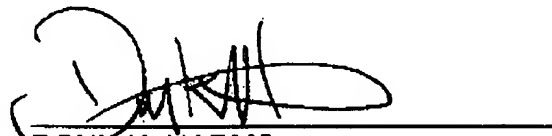
Dated: 05/25/05


MARK A. CHERRY

☒ The attorney of record.

Dated: 6/2/05

Reg. No. 38,911
Customer No. 30084


DONN K. HARMS
12702 Via Cortina, Ste. 100
Del Mar, CA 92014